

ORIGINAL

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

SEP 05 2006

at 2 o'clock and 4 min. PM  
SUE BEITIA, CLERK

Attorneys for Defendant/Limitation Plaintiff  
MORNING STAR CRUISES, INC.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

In the Matter of	)	CV. NO. 03-00672 SOM-BMK
	)	
The Complaint of MORNING STAR	)	
CRUISES, INC., a Hawaii corporation	)	
<u>SHIROH FUKUOKA, Individually and</u>	)	
as Personal Representative of THE	)	CV. NO. 04-00588 SOM-BMK
ESTATE OF MITSUKO FUKUOKA,	)	
and as Next Friend of MIHO	)	[CONSOLIDATED]
FUKUOKA, a Minor,	)	
	)	
Plaintiffs,	)	SUBPOENA DUCES TECUM
	)	[DEPONENT: THOMAS C. EBRO]
vs.	)	
	)	Trial: February 21, 2007
MORNING STAR CRUISES, INC., a	)	Time: 9:00 a.m.
Hawaii corporation; JOHN DOES 1-	)	Judge: Hon. Susan Oki Mollway
10, JANE DOES 1-10, DOE	)	

CORPORATIONS 1-10, DOE )  
PARTNERSHIPS 1-10, DOE JOINT )  
VENTURERS 1-10, DOE LIMITED )  
LIABILITY ENTITES 1-10, DOE )  
NON-PROFIT ENTITES, 1-10, DOE )  
GOVERNMENTAL ENTITIES 1-10, )  
DOE UNINCORPORATED )  
ENTITIES 1-10, and OTHER DOE )  
ENTITES 1-10, )  
 )  
Defendants. )  
 )  
\_\_\_\_\_ )

SUBPOENA IN A CIVIL CASE

TO: THOMAS C. EBRO  
Water Safety Consultants  
5525 Reflections Boulevard  
Lutz, Florida, 33558-9017

YOU ARE COMMANDED to appear at the place, date, and time specified  
below to testify at the taking of a deposition in the above case.

<u>NAME(S) AND ADDRESS(ES)</u>	<u>DATE and TIME</u>
THOMAS C. EBRO Water Safety Consultants 5525 Reflections Boulevard Lutz, Florida, 33558-9017	October 10, 2006 at 9:00 a.m.

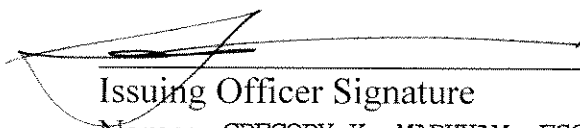
YOU ARE COMMANDED to produce and permit inspection and copying  
of the documents and/or objects listed hereinbelow:

DOCUMENTS TO BE PRODUCED

Said deponent is required by this subpoena duces tecum to bring with him and have available for production the original and/or true and correct legible copies of any and all records, including but no limited to copies of correspondence, notes, statements, photographs, diagrams, reports, memoranda and writings of any sort containing entries pertaining, in any fashion, to the above-entitled matter.

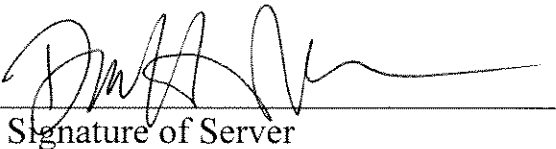
DISOBEDIENCE of this Subpoena may be punished as contempt by this Court.

DATED: Honolulu, Hawaii, SEP 05 2006

  
\_\_\_\_\_  
Issuing Officer Signature

Name: GREGORY K. MARKHAM, ESQ.

Title: Attorney for MORNING STAR CRUISES, INC.

RETURN OF SERVICE		
Service of the <u>SDT</u> was made by me <sup>(1)</sup>	DATE: <u>9/5/06</u>	
NAME OF SERVER (PRINT) <u>Debra Hilde Minksha</u>	TITLE <u>Atty</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon _____. Place where served: _____ <input type="checkbox"/> Left copies thereof at _____'s dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. <input checked="" type="checkbox"/> Name of person with whom the subpoena was left: <u>Robert Kanamery Esq.</u> <u>Atty for Plaintiffs and Thomas C. Ebro</u> <input type="checkbox"/> Returned unexecuted: _____ <input type="checkbox"/> Other (specify): _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Fees is true and correct.		
Executed on	<u>9/5/06 11:15pm</u>	
	Date	Signature of Server
<u>1001 Bishop St, Sk1000 ABB, Hm 17 26813</u> Address of Server		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.